

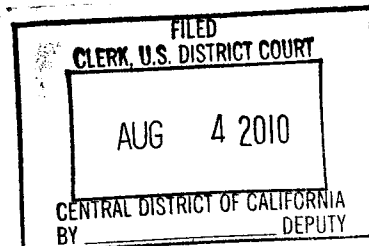
ORIGINAL

Bruce G. Chapman (State Bar No. 164258)
bchapman@cblh.com
Keith D. Fraser (State Bar No. 216279)
kfraser@cblh.com
CONNOLLY BOVE LODGE & HUTZ LLP
333 S. Grand Avenue, Suite 2300
Los Angeles, CA 90071
Telephone: (213) 787-2500; Facsimile: (213) 687-0498

Dianne B. Elderkin (admitted *pro hac vice*)
delderkin@akingump.com
Barbara L. Mullin (admitted *pro hac vice*)
bmullin@akingump.com
Steven D. Maslowski (admitted *pro hac vice*)
smaslowski@akingump.com
Angela Verrecchio (admitted *pro hac vice*)
averrecchio@akingump.com
Matthew A. Pearson (admitted *pro hac vice*)
mpearson@akingump.com
Rubén H. Muñoz (admitted *pro hac vice*)
rmunoz@akingump.com

AKIN GUMP STRAUSS HAUER & FELD LLP
Two Commerce Square, Suite 4100
2001 Market Street
Philadelphia, Pennsylvania 19103-7013
Telephone: (215) 965-1200; Facsimile: (215) 965-1210

Attorneys for Plaintiff CENTOCOR ORTHO BIOTECH, INC.
and Third-Party Defendants GLOBAL PHARMACUETICAL SUPPLY GROUP,
LLC, CENTOCOR BIOLOGICS, LLC and JOM PHARMACEUTICAL
SERVICES, INC.



UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION

CENTOCOR ORTHO BIOTECH,
INC.

Plaintiffs

v.

GENENTECH, INC. and CITY
OF HOPE,

Defendants.

AND RELATED COUNTER AND
THIRD-PARTY ACTIONS.

Case No. CV 08-03573 MRP (JEMx)

The Honorable Mariana R. Pfaelzer

**[PROPOSED] ORDER TO FILE
UNDER SEAL DOCUMENTS
RELATING TO CENTOCOR
ORTHO BIOTECH, INC. AND ITS
COUNTER- DEFENDANT
AFFILIATES' REPLIES IN
SUPPORT OF MOTIONS FOR
SUMMARY JUDGMENT,
MOTION FOR CONSTRUCTION
OF CLAIM TERM AND
RESPONSE TO DEFENDANTS'
CROSS-MOTION FOR
SUMMARY ADJUDICATION**

Date: August 17, 2010
Time: 11:00 A.M., Ctrm: 12

LOGGED

1 The Court, having considered the Application To File Under Seal
2 Documents Relating to Replies in Support of Centocor Ortho Biotech, Inc. And Its
3 Counter- Defendant Affiliates' Replies In Support Of Motions For Summary
4 Judgment, and all papers submitted in support therewith, finds that (1) The parties
5 possess overriding confidentiality interests in the subject documents that
6 overcomes the right of public access to the record; (2) The parties' overriding
7 confidentiality interests support sealing these documents; and (3) a substantial
8 probability exists that the parties' overriding confidentiality interests will be
9 prejudiced if the record is not sealed.

10 IT IS THEREFORE ORDERED that Centocor's Application To File Under
11 Seal is GRANTED as follows:

- 12 1. Centocor Ortho Biotech, Inc.'s and its Counter-Defendant Affiliates'
13 Reply in Support of Their Motion for Summary Judgment of No
14 Willful Infringement (Motion No. 1).
- 15 2. Centocor Ortho Biotech, Inc.'s and its Counter-Defendant Affiliates'
16 Response to Defendants' Statement of Undisputed Facts in Support of
17 Centocor's Motion for Summary Judgment of No Willful
Infringement (Motion No. 1)
- 18 3. Reply in Support of Centocor Ortho BioTech, Inc. and its Cross
19 Defendant Affiliates' Motion for Summary Judgment of No
20 Infringement of Claim 33 (Motion No. 3) and Response to
Defendants' Cross Motion for Summary Adjudication.
- 21 4. Response to Defendants' Statement of Undisputed Facts and
22 Conclusions of Law in Support of Centocor's Motion for Summary
23 Judgment of No Infringement of Claim 33 (Motion No. 3) and
24 Response to Defendants' Statement of Facts in Support of Their Cross
Motion for Summary Adjudication.
- 25 5. Centocor Ortho Biotech, Inc.'s and its Counter-Defendant Affiliates'
26 Reply in Support of Their Motion for Summary Judgment of
27 Invalidity of Claim 33 for Failure to Comply with 35 USC § 112
28 (Motion No. 4).

6. Centocor Ortho Biotech, Inc.'s and its Counter-Defendant Affiliates' Response to Defendants' Statement of Undisputed Facts in Support of Centocor's Motion for Summary Judgment of Invalidity of Claim 33 for Failure to Comply with 35 USC § 112 (Motion No. 4).
7. Centocor Ortho Biotech, Inc.'s and its Counter-Defendant Affiliates' Reply in Support of Their Motion for Summary Judgment of Anticipation (Motion No. 5).
8. Centocor Ortho Biotech, Inc.'s and its Counter-Defendant Affiliates' Response to Defendants' Statement of Undisputed Facts in Support of Centocor's Motion for Summary Judgment of Anticipation (Motion No. 5).
9. Centocor Ortho Biotech, Inc.'s and its Counter-Defendant Affiliates' Reply in Support of Their Motion for Summary Judgment That Claim 33 is Invalid for Failure to Disclose the Best Mode (Motion No. 6).
10. Centocor Ortho Biotech, Inc.'s and its Counter-Defendant Affiliates' Response to Defendants' Statement of Undisputed Facts in Support of Centocor's Motion for Summary Judgment That Claim 33 is Invalid for Failure to Disclose the Best Mode (Motion No. 6).
11. Second Declaration Of Matthew A. Pearson In Support Of Centocor Ortho Biotech, Inc.'s and Its Counter-Defendant Affiliates' Replies To Their Motions For Summary Judgment, Motion For Construction Of Claim Term "Immuglobulin" and Response To Defendants' Cross Motion For Summary Adjudication.
12. Exhibit 47 to the Second Declaration of Matthew Pearson: Defendants' deposition exhibit DX140 showing Cabilly/Genentech Royalty Payments.
13. Exhibit 48 to the Second Declaration of Matthew Pearson: Excerpts from the April 30, 2010 deposition of Sean Johnston, Ph.D., Esq.
14. Exhibit 49 to the Second Declaration of Matthew Pearson: Order Denying Centocor's Motion for Summary Judgment.
15. Exhibit 51 to the Second Declaration of Matthew Pearson: April 30, 2010 Supplemental and Amended Responses to Genentech Interrogatories (Nos. 12-15, 18 & 20).

1 16. Exhibit 52 to the Second Declaration of Matthew Pearson:
2 Genentech's Deposition Exhibit 62, a May 11, 2006 letter from
3 Kenneth J. Dow to Celltech Therapeutics, Ltd.

4 No persons other than the Court and counsel of record are authorized to
5 inspect the above-listed records filed under seal.

6 IT IS SO ORDERED

7
8 Dated: August 4, 2010

Mariana R. Pfaelzer
Honorable Mariana R. Pfaelzer
United States District Judge

10 Prepared and submitted by:

11 Connolly Bove Lodge & Hutz LLP

12
13 By: Keith D. Fraser

14 Attorneys for Plaintiff CENTOCOR
15 ORTHO BIOTECH, INC. and
16 Third-Party Defendants GLOBAL
17 PHARMACUETICAL SUPPLY GROUP, LLC,
CENTOCOR BIOLOGICS, LLC and
JOM PHARMACEUTICAL SERVICES, INC